

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

AMAZON.COM, INC., et al.

Plaintiffs,

v.

Case No. 1:20-CV-484

**WDC HOLDINGS LLC and BRIAN
WATSON,**

Defendants.

**DEFENDANTS BRIAN WATSON AND WDC HOLDINGS LLC’S RESPONSE TO
INTERVENOR 800 HOYT LLC’S MOTION TO SEAL**

Pursuant to Local Civil Rule 5, Defendants Brian Watson (“Watson”) and WDC Holdings LLC, d/b/a Northstar Commercial Partners (“Northstar”) (together, “Defendants”) respectfully submit this response to Amazon.com, Inc. and Amazon Data Services, Inc.’s (together, “Amazon’s”) motion to seal the unredacted version of its Response to Defendants’ Motion for Approval of Receivership Disbursement to Cover Legal Fees. *See* Dkt. 485. Amazon filed its motion to seal in accordance with the Agreed Protective Order in this case (Dkt. 55) to prevent the disclosure of a defined term and definition set forth in the Defendants’ Private Equity Professional and Management Liability Insurance Policy, Policy No. H719-600569 (the “D&O Policy”), a document Defendants designated for confidential treatment under the Agreed Protective Order.

In October 2021, Defendants withdrew their confidentiality designations for all discovery material that they had designated for confidential or highly confidential treatment under the Agreed Protective Order, but limited the withdrawal to designated material that was not otherwise

governed by an existing seal order. *See* Dkt. 404. At that time, Defendants’ D&O Policy was designated for confidential treatment and under seal pursuant to an existing seal order. For that reason, it has remained under seal notwithstanding Defendants’ withdrawal of confidentiality designations for material not yet under seal.

Having revisited the confidentiality designation for purposes of responding to Amazon’s recent motion to seal, Dkt. 485, Defendants wish to withdraw their confidentiality designation as to the D&O Policy.

Paragraph 1(b) of the Agreed Protective order states that, if either party has designated discovery material for confidential or highly confidential treatment and later decides that the material doesn’t qualify for protection at all or at the level claimed initially, the designating party “must promptly notify all other parties that it is withdrawing or changing the designation.” Dkt. 55 ¶ 1(b). This filing serves as Defendants’ notice to all parties that Defendants withdraw, in its entirety, the confidentiality designation for the D&O Policy.

Dated: January 26, 2022

Respectfully submitted,

/s/ Jeffrey R. Hamlin

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*Counsel for Defendants Brian Watson and
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CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2022, I will electronically file the foregoing document with the Clerk of Court using the Court's CM/ECF system, which will send a Notification of Electronic Filing (NEF) to all counsel of record.

In addition, I will mail hard copy of the date-stamped document and NEF to *pro se* Defendant Casey Kirschner at the following address:

635 N. Alvarado Lane, Plymouth, MN 55447.

Dated: January 26, 2022

/s/ Jeffrey R. Hamlin